

## Message Text

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TO AMEMBASSY ATHENS IMMEDIATE

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C O N F I D E N T I A L STATE 028073

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, MARR, MASS, GR, US

SUBJECT: US-GREEK BASE NEGOTIATIONS - STATUS OF FORCES  
(SOFA)

REFS: A) ATHENS 978, B) ATHENS 892, C) STATE 26400,  
D) STATE 26953

1. IN ADDITION TO RESOLUTION OF AMOUNT OF FEES AND CHARGES  
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WHICH MAY BE IMPOSED ON POVS (REF C), US TEAM SHOULD SEEK

FOLLOWING CHANGES IN ARTICLES I AND VI OF DRAFT SOFA SET FORTH IN REFTEL A.

2. ARTICLE I. PROVISIONS ON TREATMENT OF MILITARY TOURISTS APPEAR BOTH CUMBERSOME AND INAPPROPRIATE FOR AGREEMENT WITH A NATO ALLY. SEEKING APPLICATION OF BASIC CRIMINAL JURISDICTION PROCEDURES AND SAFEGUARDS CONTAINED IN ARTICLE VII OF NATO SOFA ON A CASE BY CASE BASIS RUN LIING ALLEGATIONS SISTENT TREATMENT OF US PERSONNEL AND RESULTING ALLEGATIONS OF DISCRIMINATION. WE FORESEE PROBLEMS WITH CONGRESS UNDER THIS FORMULA, AS WELL AS ADVERSE PRECEDENT FOR OTHER COUNTRIES WHERE US FORCES ARE STATIONED. CONSIDERING THE SUBSTANTIAL CONCESSIONS WE HAVE MADE IN WAIVER AND CUSTODY PROVISIONS, WE BELIEVE GREEKS SHOULD BE PREPARED TO APPLY CRIMINAL JURISDICTION PROVISIONS TO MILITARY TOURISTS, AS

SPANISH HAVE JUST AGREED TO DO ON A RETROACTIVE BASIS IF SUCH PERSONNEL ARE INVOLVED IN INCIDENTS. THE NEW PROVISIONS FULLY ACCOMMODATE GREEK INTERESTS, AND IT WOULD SEEM TO BE IN THE INTEREST OF BOTH COUNTRIES TO HAVE CLEAR AGREEMENT ON UNIFORM TREATMENT OF THESE PERSONNEL. ACCORDINGLY, US NEGOTIATORS SHOULD SEEK DELETION OF PHRASE "WITH THE CONCURRENCE OF THE GOVERNMENT OF GREECE IN SPECIFIC CASES" FROM SECOND SENTENCE OF ARTICLE I, AND DELETION OF LAST TWO SENTENCES OF ARTICLE I.

3. ARTICLE VI. LAST SENTENCE OF PARA 2 OF ARTICLE VI IS OUT OF PLACE, SINCE THERE IS NO ANTECEDENT FOR REFERENCE TO "SUCH FACILITIES." IF "FACILITIES" REFERS TO BX, MILITARY EXCHANGE, COMMISSARY, ETC., THIS SENTENCE SHOULD BE INSERTED AS FOURTH SENTENCE OF PARA 7 OF ARTICLE VI, AND "THESE ITEMS" SUBSTITUTED FOR "PROVISIONS, SUPPLIES AND OTHER GOODS." IF GREEKS INSIST ON RETENTION OF SENTENCE IN PARA 2 AS A BROADER PRINCIPLE, THE WORDS "PERSONS AUTHORIZED BY THIS AGREEMENT TO USE SUCH FACILITIES" SHOULD BE CHANGED TO "MEMBERS OF THE UNITED STATES FORCES, THE CIVILIAN COMPONENT, AND DEPENDENTS IN GREECE." INGERSOLL

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